

**Community Planning and Economic Development Planning Division Report
Zoning Code Text Amendment**

Date: July 19, 2010

Initiator of Amendment: Council Member Gordon

Date of Introduction at City Council: September 18, 2009

Ward: Citywide **Neighborhood Organization:** Citywide

Planning Staff and Phone: Jim Voll 612- 673-3887

Intent of the Ordinance: The intent of the amendment is to update standards related to parking and driveway surfacing requirements to better align with adopted applicable city policies and practices.

Appropriate Section(s) of the Zoning Code:

Chapter 541: Off-street Parking and Loading

Chapter 520: Introductory Provisions and Chapter 525: Administration and Enforcement were also introduced. However, staff is not recommending changes to these chapters as part of this amendment and therefore recommends returning them to the author.

Background: The purpose of this text amendment is to revise Section 541.300 of the zoning code, surfacing, to allow permeable or pervious materials for parking and associated drive aisles and driveways. This amendment relates only to parking areas and associated drive aisles and driveways and not to other hard-surfaced areas, such as patios or walkways.

In general, the amendment would limit turf systems for overflow parking spaces only, due to concerns with durability; however, turf systems that utilize plastic geocells or concrete grids are allowed for single and two-family dwellings. Gravel systems have been limited to industrial districts and for single-family homes, where they are currently allowed, for aesthetic reasons and for dust control. One exception is to allow open-celled paving grids utilizing gravel within the commercial and downtown districts for the parking spaces only. Pervious pavement or pervious pavement systems, with the exception of pervious concrete, pervious asphalt, and pervious pavers, would not be allowed for drive aisles or driveways, except for single and two-family uses, where gravel would be allowed for single-family dwellings and turf would be allowed for single and two-family dwellings. In addition, the ordinance clarifies and codifies staff practice with regard to ribbon drives.

This amendment was reviewed by the Public Works Department and the Regulatory Services Department, as well as the various sections of the CPED-Planning Division. The Regulatory Services Department did not make an official comment on the amendment, but did express concern over the use of turf systems for drives and parking for residential uses and the ability to enforce the difference between a turf system and regular grass. Planning staff also has concern over the durability of turf

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systems for drives and parking spaces. The proposed language addresses this concern, by specifying durable systems and indicating that prolonged parking will kill turf systems. The text amendment was also reviewed by the Citizens Environmental Advisory Committee (CEAC) at its meeting of June 6, 2010. CEAC passed a motion endorsing the concept of using permeable pavement systems. As of the writing of this report, staff has not received any correspondence from any of the neighborhood groups, but will forward comments, if any, at the City Planning Commission meeting.

Purpose for the Amendment:

What is the reason for the amendment?

What problem is the Amendment designed to solve?

What public purpose will be served by the amendment?

What problems might the amendment create?

The reason for this amendment is to bring the City's surfacing regulations into alignment with approved and adopted policies as well as staff practice related to administrative issues such as allowing ribbon driveways.

The amendment will allow the use of permeable or pervious pavement and pavement systems. Currently many of these systems are not allowed or would require a variance to be allowed. The proposed amendment will allow more surfacing options.

There is some concern over the durability and maintenance of pervious pavement systems. The ordinance has been written with standards to address these concerns.

Timeliness:

Is the amendment timely?

Is the amendment consistent with practices in surrounding areas?

Are there consequences in denying this amendment?

The amendment is part of a continual updating and greening of the zoning code to reflect the City's efforts to promote sustainability.

Some cities in the surrounding area allow pervious pavement, but it is not yet the norm. Please see attached list of cities and their code language, with the pervious pavement regulations highlighted.

If the amendment is denied, then a variance would be necessary to allow any of these pavement systems, with the exception of ribbon drives, which are currently allowed by administrative policy. A variance would require showing that there is a hardship to the applicant and is a difficult threshold with which to comply.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The Minneapolis Plan for Sustainable Growth has the following relevant policies and implementation steps from the land use and environment chapters.

Policy 1.1: Establish land use regulations, in order to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Policy 6.3: Encourage sustainable design practices in the planning, construction and operations of new developments, large additions and building renovations.

6.3.1 Encourage developments to implement sustainable design practices during programming and design, deconstruction and construction, and operations and maintenance.

6.3.2 Ensure that developments use storm water BMPs (Best Management Practices).








6.3.5 Support the development of sustainable site and building standards on a citywide basis.

6.3.9 Develop regulations to further reduce the heat island effect in the city by increasing green urban spaces for parks and open spaces, including shading of parking lots, sidewalks and other impervious surfaces, promoting installation and maintenance of green roofs and utilization of highly reflective roofing and paving materials.

6.3.10 Promote climate sensitive site and building design practices.

Recommendation of the Community Planning and Economic Development Planning Division:

The Community Planning and Economic Development Planning Division recommends that the City Planning Commission and City Council adopt the above findings and **approve** the zoning code text amendment, amending Chapter 541. Staff further recommends that Chapters 520 and 525 be returned to author.

Category		Single- and Two- family Residential Uses	All other Residential Uses	Commercial and Downtown Districts	Industrial Districts
<i>Porous Reinforced Turf</i>		Allowed for overflow parking spaces.	Allowed for overflow parking spaces.	Allowed for overflow parking spaces.	Allowed for overflow parking spaces.
<i>Plastic Geocells</i>	 	<p>Gravel allowed for parking spaces and driveways for Single-family.</p> <p>Turf allowed for parking spaces and driveways for Single and Two-family.</p>	<p>Gravel not allowed.</p> <p>Turf allowed for overflow parking spaces.</p>	<p>Gravel not allowed.</p> <p>Turf allowed for overflow parking spaces.</p>	<p>Gravel allowed for parking spaces, driveways and drive aisles (where gravel is otherwise allowed for driveways and drive aisles except for 20 feet from the curbline).</p> <p>Turf allowed for overflow parking spaces.</p>
<i>Open-Celled Paving Grids</i>	 <small>Grass Paving System</small> 	<p>Gravel allowed for parking spaces and driveways for Single-family.</p> <p>Turf allowed for parking spaces and driveways for Single and Two-family.</p>	<p>Gravel allowed for parking spaces (not driveways and drive aisles).</p> <p>Turf allowed for overflow parking spaces.</p>	<p>Gravel allowed for parking spaces (not driveways and drive aisles).</p> <p>Turf allowed for overflow parking spaces.</p>	<p>Gravel allowed for parking spaces, driveways and drive aisles (where gravel is otherwise allowed for driveways and drive aisles except for 20 feet from the curbline).</p> <p>Turf allowed for overflow parking spaces.</p>
<i>Modular pavers</i>		Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.
<i>Pervious concrete and pervious asphalt</i>		Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.	Allowed for parking spaces, driveways and drive aisles.

**Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances
relating to Zoning Code: Off-Street Parking and Loading.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 541.300 of the above-entitled ordinance be amended by adding thereto the following definition in alphabetical sequence to read as follows:

541.300. Surfacing. (a) *In general.* All open off-street parking areas, all driveways leading to such parking areas, and all other areas upon which motor vehicles may be located, except where accessory to a single-family dwelling, shall be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of four thousand (4,000) pounds. In addition, all driveways in commercial and industrial districts leading to areas other than off-street parking areas shall be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of four thousand (4,000) pounds for a minimum of twenty (20) feet from the curb line. Acceptable surfacing materials shall include asphalt, concrete, brick, cement pavers or similar material installed and maintained per industry standards. Pervious pavement or pervious pavement systems are allowed subject to the provisions of this chapter.

(b) *Off-street parking areas and driveways accessory to a single-family dwelling.* Off-street parking areas and driveways accessory to a single-family dwelling shall be surfaced with a dustless all-weather material capable of carrying a wheel load of four thousand (4,000) pounds. Acceptable surfacing materials shall include asphalt, concrete, brick, concrete pavers or similar material, or four (4) inches of class five (5) crushed limestone, installed and maintained per industry standards. Pervious pavement or pervious pavement systems are allowed subject to the provisions of this chapter.

541.305 Pervious pavement or pervious pavement systems. (a) *In general.* Pervious pavement or pervious pavement systems, capable of carrying a wheel load of four thousand (4,000) pounds, including pervious asphalt, pervious concrete, modular pavers designed to funnel water between blocks, lattice or honeycomb shaped concrete grids with turf grass or gravel filled voids to funnel water, plastic geocells with turf grass or gravel, reinforced turf grass or gravel with overlaid or embedded meshes, or similar structured and durable systems are permitted. Gravel, turf, or other materials that are not part of a structured system designed to manage stormwater shall not be considered pervious pavement or a pervious pavement system. Pervious pavement and pervious pavement systems shall meet the following conditions:

1) All materials shall be installed per industry standards. Appropriate soils and site conditions shall exist for the pervious pavement or pervious pavement system to function. For parking lots of ten (10) spaces or more documentation that verifies appropriate soils and site conditions shall be provided.

- 2) All materials shall be maintained per industry and city standards. Areas damaged by snow plows or other vehicles shall be promptly repaired. Gravel that has migrated from the pervious pavement systems onto adjacent areas shall be swept and removed regularly.
- 3) Pervious pavement or pervious pavement systems, except for pervious asphalt or pervious concrete, shall not be used for accessible parking spaces or the accessible route from the accessible space to the principal structure or use served.
- 4) Pervious pavement or pervious pavement systems shall be prohibited in areas used for the dispensing of gasoline or other engine fuels or where hazardous liquids could be absorbed into the soil through the pervious pavement or pervious pavement system.
- 5) Pervious pavement or pervious pavement systems, except for pervious asphalt, pervious concrete, or modular pavers shall not be used for drive aisles or driveways.
- 6) Pervious pavement or pervious pavement systems that utilize turf grass shall be limited to overflow parking spaces that are not utilized for required parking and that are not occupied on a daily or regular basis.
- 7) Pervious pavement or pervious pavement systems that utilize gravel with overlaid or embedded mesh or geocells shall be limited to industrial districts and shall not be used for drive aisles or driveways, except as otherwise allowed by this chapter, and in no case shall be used for drive aisles or driveways less than a minimum of twenty (20) feet from the curbline.
- 8) Pervious pavement or pervious pavement systems used for parking or associated drive aisles or driveways shall count as impervious surface for the purposes of impervious surface coverage in any zoning district that has a maximum impervious surface limit or percentage, except where a pervious pavement system utilizing turf grass is provided for a fire access lane that is independent of a parking lot.
- 9) Pervious pavement or pervious pavement systems shall not count as required landscaping except as allowed by alternative compliance as a part of Chapter 530, Site Plan Review.
- 10) Pervious pavement or pervious pavement systems shall not allow parking spaces, drives aisles, or driveways to be located anywhere not otherwise permitted by the regulations of this zoning ordinance and the district in which it is located.
- 11) Parking areas shall have the parking spaces marked as required by this chapter except that pervious pavement systems that utilize gravel or turf may use alternative marking to indicate the location of the parking space, including, but not limited to,

markings at the end of spaces on the drive aisle or curbing, wheel stops, or concrete or paver strips in lieu of painted lines.

(b) *Off-street parking areas and driveways accessory to single-family and two-family dwellings.* Notwithstanding the provisions of subdivision (a), off-street parking areas and driveways accessory to a single-family dwelling may be surfaced with pervious paving systems that utilize gravel installed and maintained per industry standards. Off-street parking areas and driveways accessory to single-family or two-family dwellings may be surfaced with pervious paving systems that utilize turf with plastic geocells or open-celled paving grids installed and maintained per industry standards and designed so that the parking of vehicles does not kill the turf.

(c) *Ribbon driveways.* Ribbon driveways that consist of two wheel tracks with a turf median are allowed accessory to single and two-family dwellings. Each wheel track shall be surfaced in compliance with the requirements of this chapter and shall be at least three and one-half (3.5) feet in width. The width of the driveway as measured from the outside edges of each wheel track shall not be less than minimum driveway width requirements of this chapter. The median shall not exceed three (3) feet in width.